

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

GLOBAL INTERACTIVE MEDIA, INC.,

____ Civ. ____ ()

Plaintiff,

COMPLAINT

- against -

STARZ ENTERTAINMENT, LLC,

**JURY TRIAL
DEMANDED**

Defendant.

x

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Global Interactive Media, Inc. (“GIM”) brings this patent-infringement action against STARZ Entertainment, LLC. (“Starz”).

Parties

1. GIM is a Belizian corporation based in Belize.
2. Starz is a Colorado company, having its principal place of business in Englewood, Colorado.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Starz. Starz conducts continuous and systematic business in New York and this District and has a regular and established place of business in this District. For example, Starz sells services to Starz customers

in this District. This patent-infringement claim arises directly from Starz's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over Starz would be consistent with the Illinois long-arm statute, 735 ILCS § 5/2-209, and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b). Sinclair has regular and established places of business in this District and has committed acts of infringement in this District.

Count 1 – Infringement of U.S. Patent No. 7,574,721

7. GIM owns United States Patent 7,574,721 (the “‘721 patent”) (attached as Exhibit A).

8. Starz is infringing at least one of the 35 methods and systems claimed in the ‘721 patent by providing the “Starz Scheduler” service. <https://www.starz.com/schedule>.

9. For example, and for illustration of one of the 35 claims of the ‘721 patent that GIM alleges the Starz Scheduler service infringes, the service infringes claim 20 of the ‘721 patent as follows:

a. Claim 20 is “A method for identifying at least one broadcast provider over a network in response to at least one user communication, wherein the at least one user communication comprises at least one user related broadcast identifier that is not required to by itself identify the at least one broadcast provider, the method comprising: receiving at least one user related network address associated with at least one user communication[.]” (Ex. A, 19:17-24.) The Starz Scheduler service identifies Starz and Starz Encore channels (e.g., Starz, Starz Cinema, Starz Comedy, Starz Encore, Starz Encore Español, Starz Encore Black, etc.) as broadcast providers of certain television

programs and movies available to the user based on the user's Internet Protocol address ("IP address") and in response to the "user related broadcast identifier," e.g., date for which the user wants to identify a broadcast provider of programming. For example, in response to a user's communication, Starz in Black is identified as the broadcast provider of the movie *The Abyss*, and Starz Encore Action is identified as the broadcast provider of the movie *Stripes* on April 5 at 6:00 pm.

b. Claim 20 involves "querying, by a processor, a database of one or more stored network addresses wherein each stored address or part thereof is indexed to one or more stored broadcast identifiers, wherein each of the stored broadcast identifiers is associated with at least one broadcast provider[.]" (Ex. A, 19:25-29.) The Starz Scheduler service queries a database of stored IP addresses indexed to broadcast identifiers, e.g., content programming by date and time.

c. Claim 20 involves "determining whether the received at least one user related network address matches at least one of the stored network addresses or parts thereof[.]" (Ex. A, 19:30-32.) The Starz Scheduler service determines whether the user's IP address matches one of the stored IP addresses.

d. In Claim 20, "if at least one of said stored network addresses or parts thereof matches the received at least one user related network address, retrieving one or more indexed broadcast identifiers corresponding to the at least one matching network address or part thereof[.]" (Ex. A, 19:33-37.) Once the Starz Scheduler service determines that the user's IP address matches at least part of a stored IP address, the service retrieves broadcast identifiers that identify the programming of Starz and Starz Encore channels based on the user's IP address.

e. Claim 20 involves “receiving said at least one user related broadcast identifier associated with at least one user communication[.]” (Ex. A, 19:38-39.) The Starz Scheduler service receives the user related broadcast identifier identifying the date and time for which the user wants to identify a broadcast provider of programming when the user selects a date and time.

f. Claim 20 involves “identifying, by the processor, at least one broadcast provider using both said retrieved indexed one or more broadcast identifiers and said received at least one user related broadcast identifier, wherein the identifying of the at least one broadcast provider does not require identifying only a closest proximity broadcast provider based on the received at least one network address.” (Ex. A, 19:40-46.) The Starz Scheduler service, using, for example, the user’s related broadcast identifier of April 5 at 6:00 pm, identifies Starz in Black as the broadcast provider of the movie *The Abyss* and Starz Encore Action as the broadcast provider of the movie *Stripes*.

Count 2 – Infringement of U.S. Patent No. 8,032,907

10. GIM owns United States Patent 8,032,907 (the “‘907 patent”) (attached as Exhibit B).

11. Starz is infringing at least one of the 90 methods and systems claimed in the ‘907 patent by providing the Starz Scheduler service.

12. For example, and for illustration of one of the 90 claims of the ‘907 patent that GIM alleges that the Starz Scheduler service infringes, the service infringes claim 18 of the ‘907 patent as follows:

a. Claim 18 claims a “method for providing recipients of a broadcast with automated information about program material, the method comprising: broadcasting

program material in at least one broadcast[.]” (Ex. B, 19:13-16.) The Starz Scheduler service provides viewers of television programs with automated information about programs broadcasted by Starz and Starz Encore channels.

b. Claim 18 includes the step of “receiving one or more user inquiries from one or more recipients of said at least one broadcast, said one or more inquiries including broadcast identifier information[.]” (Ex. B, 19:17-19.) A user may access the Starz Scheduler service’s website and inquire about, for example, the movie *Crocodile Dundee II*.

c. The method of claim 18 involves “creating a program description file comprising program information related to program material to be broadcast in the future[.]” (Ex. B, 19:20-22.) The individual inquiring about *Crocodile Dundee II* would learn from the Starz Scheduler service: “A man from ‘Down Under’ (Paul Hogan) must employ outback strategies to save his American girlfriend (Linda Kozlowski) from drug dealers.” <https://www.starz.com/movies/25418>.

d. Next, claim 18 involves “communicating the program information into a programmed data processor[.]” (Ex. B, 19:23-24.) The Starz Scheduler service user is able to learn about *Crocodile Dundee II* because Starz communicates the program information to the Starz Scheduler service programmed data processor.

e. Claim 18 involves “synchronizing said communicated program information with said program material of said at least one broadcast[.]” (Ex. B, 19:25-26.) Starz synchronizes the program information with the broadcast of *Crocodile Dundee II*.

f. Claim 18 involves “using said data programmed data processor to

communicate, to the one or more recipients, program information that corresponds to the broadcast identifier information included in said one or more inquiries, wherein at least one of the program description file, the program information, and the synchronized program information is associated with the broadcast identifier information.” (Ex. B, 19:28-35.) The Starz Scheduler service communicates the *Crocodile Dundee II* program information to the Starz Scheduler service user.

Count 3 – Infringement of U.S. Patent No. 6,314,577

13. GIM owns United States Patent 6,314,577 (the “‘577 patent”) (attached as Exhibit C).

14. Starz is infringing at least one of the 130 methods and systems claimed in the ‘577 patent by providing the Starz Scheduler service.

15. For example, and for illustration of one of the 130 claims of the ‘577 patent that GIM alleges the Starz Scheduler service infringes, the service infringes claim 94 of the ‘577 patent as follows:

a. Claim 94 is a “method for providing listeners or viewers of a radio or television broadcast with automated information about program material, comprising the steps of: broadcasting at least one radio or television broadcast[.]” (Ex. C, 23:15-18.) The Starz Scheduler service provides viewers of television programs with automated information about programs broadcasted by Starz and Starz Encore channels.

b. Claim 94 involves “receiving user inquiries from a listener or viewer of said radio or television broadcast[.]” (Ex. C, 19-20.) A user may access the Starz Scheduler service’s website and inquire about a television program she is viewing on, for example, Starz at 9:00 pm.

c. Claim 94 involves “creating a program description file[.]” (Ex. C, 23:21.)

The user inquiring about the program broadcast by Starz at 9:00 p.m. would learn that the program is the movie *Deep Impact*, in which: “Unless a comet can be destroyed before colliding with Earth, only those allowed into a limited number of shelters will survive.” <https://www.starz.com/movies/30954>.

d. The method of claim 94 involves “communicating program list information into a programmed data processor[.]” (Ex. C, 23:22-23.) Starz communicates into the Starz Scheduler service’s programmed data processor a list of programs to be aired so that the service may display a list of scheduled programs.

e. Claim 94 involves “correlating said program descriptions of program material with said program list information and generating information in a database responsive to only a broadcast identifier[.]” (Ex. C, 23:24-27.) Starz correlates the description of *Deep Impact* to the list of scheduled programs so that the description is correlated and responsive to the 9:00 pm identifier of *Deep Impact*.

f. Claim 94 involves “using said programmed data processor to communicate said program description file responsive to said user inquiry.” (Ex. C, 23:28-30.) The Starz Scheduler service uses the data processor to communicate the description of *Deep Impact* to the user when the user accesses the service during the 9:00 pm broadcast of *Deep Impact* to inquire about the program.

Prayer for Relief

WHEREFORE, GIM prays for the following relief against Starz:

(a) Judgment that Starz has directly infringed claims of the ’721 patent, ’907 patent, and the ’577 patent;

- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and
- (d) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

GIM demands a trial by jury on all matters and issues triable by jury.

Date: July 7, 2017

Respectfully Submitted,

/s/ Matthew M. Wawrzyn

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